

SIXTH FLOOR, 900 HOWE STREET, BOX 250  
VANCOUVER, B.C. V6Z 2N3  
CANADA



BRITISH COLUMBIA  
UTILITIES COMMISSION

ORDER  
NUMBER G-115-96

TELEPHONE: (604) 660-4700  
BC TOLL FREE: 1-800-663-1385  
FACSIMILE: (604) 660-1102

IN THE MATTER OF  
the Utilities Commission Act, S.B.C. 1980, c. 60, as amended  
and

An Application by British Columbia Hydro and Power Authority for a  
Certificate of Public Convenience and Necessity for Unit No. 4 at its Seven Mile Hydro-Electric Project

**BEFORE:** M.K. Jaccard, Chairperson; and )  
L.R. Barr, Deputy Chairperson ) December 6, 1996

**O R D E R**

**WHEREAS:**

- A. In December 1994 British Columbia Hydro and Power Authority ("B.C. Hydro") submitted to the Minister of Energy, Mines and Petroleum Resources ("MEMPR") an application, pursuant to Section 18 of the Utilities Commission Act ("the Act"), for an Energy Project Certificate for the Seven Mile Unit No. 4 Hydro-Electric Project ("the Application", "the Project"); and
- B. The MEMPR review of the Application, under Section 18 of the Act, took place between December 1994 and June 30, 1995. In June 1995 the Environmental Assessment Act ("EAA") came into force and the review of the Application was placed under the new environmental assessment process in the Project Report stage by order of the Minister in accordance with Section 93 of the EAA; and
- C. On June 30, 1995 the Act was amended requiring projects which were previously deemed to have a Certificate of Public Convenience and Necessity ("CPCN") issued with approval of an Energy Project Certificate, to now require CPCN approval in addition to the Environmental Assessment approval; and
- D. On March 26, 1996 a Project Approval Certificate was issued by the Minister of Environment, Lands and Parks; and
- E. On May 13 and June 5, 1996 respectively, the Independent Power Association of British Columbia ("IPABC") and the Council of Forest Industries, Electro-Chemical Producers and the Mining Association of B.C. ("the Industrial Customers") requested the Commission to exercise its jurisdiction under the Act and require B.C. Hydro to obtain a CPCN for the Project and to hold a public hearing or full review as to the economic desirability and necessity of the Project in relation to other alternatives; and

- F. On June 7, 1996, by Letter No. L-18-96, the Commission advised the IPABC and the Industrial Customers that Section 51 of the Act required B.C. Hydro to apply for a CPCN from the Commission prior to initiating construction of the Project; and
- G. On July 9, 1996 B.C. Hydro advised the Commission that an inquiry process, beyond that which had previously occurred, was unnecessary and unfair to B.C. Hydro and the Commission should not require the Project to be sent to public hearing; and
- H. On August 1, 1996 the Commission responded to B.C. Hydro's letter and suggested that B.C. Hydro submit an application for a CPCN for the Project as soon as possible. Following receipt of such application the Commission would then determine whether or not to hold a hearing; and
- I. On September 12, 1996 B.C. Hydro requested that the materials already in Commission staff possession be considered as constituting B.C. Hydro's application for a CPCN for the Project; and
- J. On October 9, 1996 the Commission directed B.C. Hydro to file updated information on project costs and justification, before October 31, 1996, in order for it to assess what further information or process may be required prior to the issuance of a CPCN for the Project; and
- K. On November 5, 1996 B.C. Hydro filed updated information on the Project; and
- L. On November 12, 1996 the Commission wrote to interested parties to the Project asking for comments regarding outstanding issues or information thought not to be adequately covered by previous B.C. Hydro submissions, to be received by the Commission by November 29, 1996; and
- M. The Commission received a number of responses and comments about the Project from interested parties who requested that an oral public hearing be held; and
- N. On November 29, 1996 B.C. Hydro submitted its response to the November 15, 1996 Staff Information Request No. 1; and
- O. On December 5, 1996 B.C. Hydro commented on the responses by interested parties to the Project and reiterated its position that a public hearing was unnecessary; and

P. The Commission has reviewed the information filed on the Project and has determined that a regulatory timetable should be established including setting the matter down for an oral public hearing.

**NOW THEREFORE** the Commission orders as follows:

1. Pursuant to Section 53(2) of the Act, the Commission orders that the Project be set down for public hearing to commence at 8:30 a.m. on February 10, 1997 in the Commission Hearing Room, 6th Floor - 900 Howe Street, Vancouver, B.C. A Notice of Public Hearing and Pre-Hearing Conference is attached as Appendix B to this Order.
2. A Regulatory Timetable for the review of the Application is attached as Appendix A to this Order and summarizes the key dates in the public review process.
3. B.C. Hydro is to distribute copies of the Application, including updated material and Commission Order No. G-115-96, to all Intervenors as they become registered with the Commission. B.C. Hydro is to prepare and distribute an Executive Summary to all interested parties. B.C. Hydro is to provide the Commission with ten (10) complete sets of the Application documents, including the Executive Summary, as soon as possible. Copies of the Application documents are to be made available for viewing by customers at B.C. Hydro's Head Office and each District Office in the utility's service area.
4. B.C. Hydro is to publish, in display ad format in the Business Sections of the Vancouver Sun and Province and in local community newspapers in its service territory, the attached Appendix B - Notice of Public Hearing and Pre-Hearing Conference by December 20, 1996, or as soon thereafter as possible. B.C. Hydro is also to advise customers, by way of a pre-printed notice on the next customer bill, of the Project, the public hearing and pre-hearing conference dates, the availability of an Executive Summary and contact telephone numbers for further details.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 11th day of December, 1996.

BY ORDER

*Original signed by:*

Dr. Mark K. Jaccard  
Chairperson

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## **REGULATORY TIMETABLE**

### **British Columbia Hydro and Power Authority Application for Certificate of Public Convenience and Necessity for Unit No. 4 at Seven Mile Hydro-Electric Project**

<b>ACTION</b>	<b>DATE</b>
Deadline for publication of Hearing Notice	December 20, 1996
Date for issue of Information Request #2	January 20, 1997
Deadline to register as intervenors or interested parties	January 20, 1997
Deadline for requests for Participant Assistance	January 20, 1997
B.C. Hydro Response to Information Request #2	February 3, 1997
Pre-hearing Conference	January 13, 1997
Further Commission Order, if necessary, based on input from Pre-Hearing Conference	January 15, 1997
Deadline for B.C. Hydro to file any further evidence	February 5, 1997
Deadline for issue of further information requests and intervenors to file evidence/ testimony	February 5, 1997
Deadline for B.C. Hydro to respond to all information requests	February 10, 1997
Public hearing begins in Vancouver	February 10, 1997



ROBERT J. PELLATT  
COMMISSION SECRETARY

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## NOTICE OF PUBLIC HEARING AND PRE-HEARING CONFERENCE

### British Columbia Hydro and Power Authority Application for Certificate of Public Convenience and Necessity for Unit No. 4 at Seven Mile Hydro-Electric Project

	Pre-Hearing Conference	Public Hearing
Time:	8:30 a.m.	8:30 a.m.
Date:	January 13, 1997	February 10, 1997
Location:	B.C. Utilities Commission Hearing Room 6th Floor - 900 Howe Street Vancouver, B.C.	B.C. Utilities Commission Hearing Room 6th Floor - 900 Howe Street Vancouver, B.C.

### THE APPLICATION

In 1994 British Columbia Hydro and Power Authority ("B.C. Hydro") submitted an Application to the government for an Energy Project Certificate to build Unit No. 4 at its Seven Mile hydro-electric facility. In 1995 the Environmental Assessment Act came into force and a Project Approval Certificate was issued by the Minister of Environment, Lands and Parks. Under the Utilities Commission Act, B.C. Hydro is required to obtain a Certificate of Public Convenience and Necessity in order to construct and operate the Project. In its review of the Project, along with input from interested parties, the Commission has determined that a public hearing is in the public interest.

### THE REGULATORY PROCESS

As outlined in the Regulatory Timetable attached as Appendix A to Order No. G-115-96, the Commission will hold a pre-hearing conference on January 13, 1997 to discuss the phasing of the contents and deficiencies contained in the Application along with other issues requiring clarification in advance of the February 10, 1997 public hearing.

## **PUBLIC INSPECTION OF THE APPLICATION**

The Application for the Seven Mile Unit No. 4 Hydro-Electric Project and Commission Order No. G-115-96 are available for inspection at the following locations:

### **British Columbia Hydro and Power Authority**

- Head Office - Regulatory Affairs @ (604) 623-3578  
333 Dunsmuir Street  
Vancouver, B.C. V6B 5R3
- Information Centre, 2nd Floor, Podium B @ (604) 528-3008  
6911 South Point Drive  
Burnaby, B.C. V3N 4X8
- All District Offices

Copies of the Application and supporting material are also available for inspection at the office of the British Columbia Utilities Commission, 6th Floor - 900 Howe Street, Vancouver, B.C. V6Z 2N3.

## **INTERVENTIONS**

Intervenors and Interested Parties who wish to take part in the review of the Application are to advise the Commission Secretary, in writing, of their intention to participate in the proceedings no later than January 20, 1997.

## **INFORMATION REQUESTS**

Registered Intervenors or Interested Parties requesting additional information from the Applicant should do so as soon as possible, but no later than January 20, 1997. Information Requests shall be responded to by B.C. Hydro no later than two weeks after receipt.

## **SUBMISSIONS BY INTERVENORS**

Written evidence and submissions from Intervenors is required to be filed, one copy each, with the Commission Secretary and B.C. Hydro, by February 5, 1997.

## **PARTICIPANT ASSISTANCE**

All parties intending to apply for Participant Assistance must file a budget by January 20, 1997 consistent with the Commission's Policy and Rate Sheet as outlined in Order No. G-103-96. Copies of the Participant Assistance Policy and Rate Sheet are available from the Commission upon request.

## **CLARIFICATION**

Persons intending to participate in the B.C. Hydro Pre-Hearing Conference and who are uncertain as to the manner in which to proceed, may contract Mr. Robert Pellatt, Commission Secretary or Mr. Bob Rerie, Senior Engineer, Electrical by telephone at (604) 660-4700, or B.C. Toll Free at 1-800-663-1385, or in writing to the above address or by facsimile at (604) 660-1102. The Commission can also be reached on the Internet at [bcuc@pop.gov.bc.ca](mailto:bcuc@pop.gov.bc.ca).

BY ORDER

*Original signed by:*

Robert J. Pellatt